

# ICO consultation on the draft updated data sharing code of practice

Q1 Does the updated code adequately explain and advise on the new aspects of data protection legislation which are relevant to data sharing?

☒ Yes

☐ No

Q2 If not, please specify where improvements could be made.

Q3 Does the draft code cover the right issues about data sharing?

☐ Yes

☒ No

Q4 If no, what other issues would you like to be covered in it?

There remains confusion between the recruitment industry and its clients, in respect of both permanent Introduction and temporary supply, on whether it is a controller-processor relationship or controller- controller. Apsco's position is in most cases it is the latter. There is data sharing of personal data throughout the process. Our view is the compliance of this sharing is covered by understanding the legal bases, robust privacy notice and appropriate data protection clauses in the contract between the parties. The guidance focuses on larger scale data sharing. It would be useful to understand if the ICO considers the code to apply to data transferred on an individual contract basis.

Q5 Does the draft code contain the right level of detail?

☒ Yes

☐ No

Q6 If no, in what areas should there be more detail within the draft code?

Q7 Has the draft code sufficiently addressed new areas or developments in data protection that are having an impact on your organisation's data sharing practices?

☐ Yes

☒ No

Q8 If no, please specify what areas are not being addressed, or not being addressed in enough detail.

See above comment

Q9 Does the draft code provide enough clarity on good practice in data sharing?

☒ Yes

☐ No

Q10 If no, please indicate the section(s) of the draft code which could be improved, and what can be done to make the section(s) clearer.

Q11 Does the draft code strike the right balance between recognising the benefits of sharing data and the need to protect it?

☒ Yes

☐ No

Q12 If no, in what way does the draft code fail to strike this balance?

Q13 Does the draft code cover case studies or data sharing scenarios relevant to your organisation?

☐ Yes

☒ No

Q14 Please provide any further comments or suggestions you may have about the draft code.

Recruitment industry. More private sector examples.

Q15 To what extent do you agree that the draft code is clear and easy to understand?

- ☒ Strongly agree
- ☐ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Strongly disagree

Q16 Are you answering as:

- ☐ An individual acting in a private capacity (e.g. someone providing their views as a member of the public or the public)
- ☐ An individual acting in a professional capacity
- ☒ On behalf of an organisation
- ☐ Other

Q17 Please specify

Q18 Please specify

Association of Professional Staffing Companies Global Ltd ( APSCo)

Q19 Please specify

Thank you for taking the time to share your views and experience.